

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of birds which were contaminated with fecal matter and crop material.

DISPOSITION: January 14, 1954. Default decree of condemnation and destruction.

SPICES, FLAVORS, AND SEASONING MATERIALS

21346. Adulteration and misbranding of black pepper and white pepper. U. S. v. Milwaukee Spice Mills, Inc., and Paul J. Schlueter. Pleas of guilty. Fine of \$1,000 against corporation and \$500 against individual. (F. D. C. No. 35187. Sample Nos. 57066-L, 57069-L, 57070-L, 57851-L, 58117-L, 58794-L, 58795-L, 62486-L, 70972-L, 73198-L.)

INFORMATION FILED: October 15, 1953, Eastern District of Wisconsin, against Milwaukee Spice Mills, Inc., Milwaukee, Wis., and Paul J. Schlueter, secretary-treasurer and general manager of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of March 25 and April 17, 1953, from the State of Wisconsin into the States of Ohio, Maryland, Michigan, Illinois, Missouri, Indiana, and Pennsylvania.

LABEL, IN PART: (Drum) "Pepper—Black Ground Manufactured by Milwaukee Spice Mills Milwaukee 4, Wisconsin Freshly Ground Black Pepper" and "Pepper—Muntok White Ground Manufactured by Milwaukee Spice Mills Milwaukee 4, Wisconsin Freshly Ground Muntok White Pepper."

NATURE OF CHARGE: Black pepper. Adulteration, Section 402 (b) (2), ground soybeans, cottonseed hulls, wheat flour, and soybean flour had been substituted in part for black pepper; and, Section 402 (b) (4), ground soybeans, cottonseed hulls, wheat flour, and soybean flour had been added to the article and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength. Misbranding, Section 403 (a), the label statements "Pepper—Black Ground" and "Freshly Ground Black Pepper" were false and misleading.

White Pepper. Adulteration, Section 402 (b) (2), wheat flour had been substituted in part for white pepper; and, Section 402 (b) (4), wheat flour had been added to the article and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength. Misbranding, Section 403 (a), the label statements "Pepper—Muntok White Ground" and "Freshly Ground Muntok White Pepper" were false and misleading.

DISPOSITION: March 1, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$1,000 and the individual \$500.

21347. Adulteration of yellow mustard seed and oriental mustard seed. U. S. v. 1 Storage Bin, etc. (F. D. C. No. 36306. Sample Nos. 82735-L, 82736-L.)

LIBEL FILED: February 4, 1954, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 10, 1946, and October 7, 1953, from Great Falls, Montana.

PRODUCT: 1 storage bin containing approximately 10,000 pounds of yellow mustard seed, 100 100-pound bags of yellow mustard seed, and 1 storage bin containing approximately 7,500 pounds of oriental mustard seed at Carnegie, Pa., in possession of H. F. Botsford & Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent excreta; and, Section 402 (a) (4), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 4, 1954. H. F. Botsford & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered against both products and the court ordered that the yellow mustard seed be released under bond for salvage under the supervision of the Food and Drug Administration. On March 5, 1954, the court entered an order directing that the oriental mustard seed be destroyed. The yellow mustard seed was examined, with the result that 3,300 pounds of this seed were found unfit and were destroyed. The oriental mustard seed was destroyed.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

21348. Adulteration and misbranding of B-Livron tablets. U. S. v. 298 Bottles * * *. (F. D. C. No. 36123. Sample No. 52628-L.)

LIBEL FILED: November 16, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about May 30, 1952, from New York, N. Y.

PRODUCT: 298 100-tablet bottles of B-Livron tablets Irvington, N. J. Examination showed that the product contained 0.44 milligram of vitamin B₁ (thiamine) per tablet instead of 1 milligram as declared on the label.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statements, namely, "Each tablet contains: * * * Thiamin Chloride 1 mg. * * *" and "Four tablets supply the following ratio of the minimum adult daily requirements: 400% of Vitamin B₁," were false and misleading as applied to the article, which contained less than 1 milligram of vitamin B₁ per tablet and which supplied less than 400 percent of the minimum daily requirement for vitamin B₁ per each 4 tablets.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: January 14, 1954. Default decree of condemnation and destruction.

21349. Misbranding of Pacific kelp tablets. U. S. v. 2 Drums, etc. (F. D. C. No. 36383. Sample No. 83882-L.)

LIBEL FILED: February 20, 1954, District of Minnesota.

ALLEGED SHIPMENT: On or about September 21, 1953, from Kalamazoo, Mich.

PRODUCT: 2 100,000-tablet drums of Pacific kelp tablets at St. Paul, Minn., in possession of Bemis Products, together with a number of 500-tablet bottles of the tablets, which had been removed from the drums and repacked into bottles, and a number of loose bottle labels, a number of leaflets entitled "Bemis News," and a number of folders entitled "Live * * * Longer Better Happier Read how"

*See also No. 21313.